

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

THOMAS GREGORY DOUCETTE
Debtor(s)

Case No. 17-05250-5-DMW

Chapter 13

**RESPONSE TO TRUSTEE'S MOTION TO DISMISS CASE FOR FAILURE TO MAKE
PLAN PAYMENTS**

NOW COMES the Debtor, by and through his undersigned attorney, and responds in opposition to the Trustee's Motion to Dismiss Case for Failure to Make Plan Payments, as filed on October 31, 2019 as docket #29. In support thereof, the Debtor shows as follows:

1. The Debtor had a shortfall of receipts compared to his commitments, including the chapter 13 plan payment.
2. Recently received business revenue will enable the Debtor to substantially cure the delinquency in the plan, with some payments in process now and further funds to be submitted after a bank hold is released.
3. To the extent the Debtor is not fully current in the near future, he will propose a method to cure any remaining delinquency.

WHEREFORE, the Debtor respectfully requests that the Court:

1. Deny the Trustee's Motion to Dismiss Case for Failure to Make Plan Payments;
2. Set this matter for hearing; and
3. Grant such other relief as the Court deems just and proper.

THIS the 20th day of November, 2019

/s/ Erich M. Fabricius

Erich M. Fabricius
Attorney for the Debtor
NC State Bar # 39667

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CERTIFICATE OF SERVICE

I do hereby certify that I have this day served a copy of the Response to Trustee's Motion to Dismiss Case for Failure to Make Plan Payments by depositing a copy of the same in the U.S. Mail, postage prepaid, properly addressed as shown, unless another method is indicated:

John F. Logan
Chapter 13 Trustee
(electronic notice via CM/ECF)

THIS the 20th day of November, 2019

/s/ Erich M. Fabricius
Erich M. Fabricius
Attorney for the Debtor